

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LDM GROUP, LLC,)
)
Plaintiff,)
)
vs.) Case No. 4:08CV01425 ERW
)
CATALINA MARKETING CORPORATION,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter comes before the Court on the Parties' Joint Motion for Entry of Protective Order [doc. #33].

The Parties have submitted to the Court their proposed protective order. While the Parties were able to agree on most of the terms of the proposed protective order, they were unable to reach an agreement regarding the procedure for disclosure of information to experts. The Parties have thus provided two different versions of the proposed protective order, one containing additional terms requested by Defendant Catalina Marketing Corporation (Tab A¹), and the other excluding such terms (Tab B). The Parties have requested that the Court determine which proposed protective order should apply in this case. The Court has reviewed the two proposed protective orders and has concluded that the version with additional terms (Tab A) will

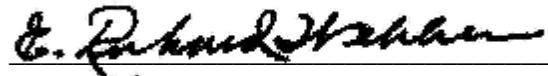
¹In their Joint Motion for Entry of Protective Order, the Parties incorrectly identified the version with additional terms as being attached at Tab B, stating, "The Parties jointly request that the Court enter its protective order, adopting either the version attached at Tab A or the version attached at Tab B containing the additional language proposed by Catalina Marketing Corporation." (Mtn., doc. #33, p.2). In reality, Tab A contains the version with additional terms and Tab B excludes the additional terms. This mistake was corrected in the Joint Motion for Entry of Protective Order filed in Case Number 4:09CV01114 ERW.

be adopted. These additional terms will eliminate the possibility that someone who is not actually an expert might be able to obtain access to confidential documents.

Accordingly,

IT IS HEREBY ORDERED that the Parties' Joint Motion for Entry of Protective Order [doc. #33] is **GRANTED**. The Court will adopt the version of the Protective Order with additional terms (Tab A).

Dated this 3rd Day of September, 2009.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE